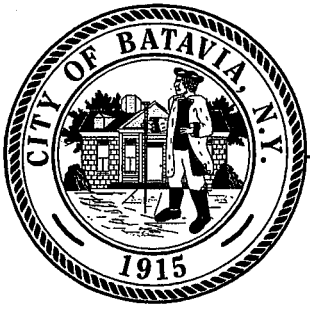


BATAVIA CITY COUNCIL CONFERENCE MEETING

City Hall - Council Board Room
One Batavia City Centre
Monday, November 28, 2022 at 7:00 p.m.

AGENDA

- I. Call to Order
- II. Invocation – Councilmember Viele
- III. Pledge of Allegiance
- IV. Public Comments
- V. Council Response to Public Comments
- VI. Communications
- VII. Council President Report
 - a. Announcement of the next City Council Business Meeting to be held on Monday, December 12, 2022 at 7:00 p.m. at the City Hall Council Board Room, 2nd Floor, City Centre
- VIII. Restore NY Grant- Carr's Building- Set Public Hearing
- IX. Restore NY Grant- Carr's Building- Support Resolution
- X. 2023 City Council Meeting Dates
- XI. Selection of Engineering Firm for Bank Street Water Project
- XII. Historic Preservation Committee Appointment of Members
- XIII. Executive Session...Employment Matters
- XIV. Adjournment



City of Batavia

Memorandum

To: Honorable Council Members

From: Erik Fix, Assistant City Manager

Date: November 22, 2022

Subject: Restore NY Grant

The City of Batavia will be submitting a round 7 Restore NY grant to support the rehabilitation and repurposing of the long-vacant Carr's department store in the center of downtown into a mixed-use anchor. The Carr's project did not apply to the round 6 Restore NY grant as there were some interior drawings and engineering that needed to be completed to make the application more competitive.

The Carr's building consist of three existing connected buildings totaling approximately 27,000 sq. ft. The goal is to rehabilitate the first-floor commercial space and upper-floor apartments.

The Carr's Department store closed in 2001 and most of the building has been vacant for two decades. Revitalization of the DRI priority project will be transformational and propel Batavia's ongoing downtown revitalization momentum. In addition to being selected as a DRI priority project, the Carr's buildings are within the boundaries of both a BOA and former Empire Zone. The proposed project is also adjacent to three other DRI projects that have been completed or will be completed within the next year.

I recommend, City Council set a public hearing for January 9, 2023.

RESOLUTION TO SUBMIT AN APPLICATION FOR THE ROUND 7 RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM

Motion of Councilmember

WHEREAS, the Empire State Development Corporation is requesting funding proposals for the sixth round of the Restore NY Municipal Grant program; and

WHEREAS, grant funds are available for projects to demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings; and

WHEREAS, an important goal of Restore NY is to revitalize urban centers, rural areas, and disadvantaged communities. It is anticipated that upon completion, the projects funded by Restore NY grants will attract individuals, families, and industry and commercial enterprises to the municipality. It is further anticipated that the improved community and business climate will result in an increased tax base thereby improving municipal finances and the wherewithal to further grow the municipality's tax and resource base, lessening its dependence on state aid; and

WHEREAS, cities with populations less than 40,000 can apply for up to \$2,000,000 in grant funding;

NOW THEREFORE, LET IT BE RESOLVED by the City of Batavia Council that it hereby authorizes submission of a Restore NY grant application not to exceed \$2,000,000 for the Carr's Reborn project in downtown Batavia.

BE IT FURTHER RESOLVED, that the City Manager of the City of Batavia, Genesee County, New York, is hereby authorized as the official representative of the City of Batavia to execute and submit the Restore NY application, all understandings and assurances contained therein, and is also hereby authorized to execute any grant agreements or documentation to implement the grant.

BE IT FURTHER RESOLVED, that project meets the following objectives:

- (1) The project is consistent with the City of Batavia Comprehensive Plan, Downtown Revitalization Initiative (DRI) Strategic Investment Plan, and Brownfield Opportunity Area (BOA) Plan.
- (2) The proposed financing for the project is appropriate and committed.
- (3) The project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources.
- (4) The project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities where applicable.

**Seconded by Councilmember
and on the roll call**

#-2022

RESOLUTION TO SCHEDULE A PUBLIC HEARING FOR THE ROUND 7 RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM

Motion of Councilmember

WHEREAS, the Empire State Development Corporation is requesting funding proposals for the sixth round of the Restore NY Municipal Grant program; and

WHEREAS, grant funds are available for projects to demolish/deconstruct and/or rehabilitate/reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed-use buildings; and

WHEREAS, an important goal of Restore NY is to revitalize urban centers, rural areas, and disadvantaged communities. It is anticipated that upon completion, the projects funded by Restore NY grants will attract individuals, families, and industry and commercial enterprises to the municipality. It is further anticipated that the improved community and business climate will result in an increased tax base thereby improving municipal finances and the wherewithal to further grow the municipality's tax and resource base, lessening its dependence on state aid; and

WHEREAS, cities with populations less than 40,000 can apply for up to \$2,000,000 in grant funding;

WHEREAS, a public hearing on the application and properties involved in the application is required prior to submission,

NOW THEREFORE, LET IT BE RESOLVED by the City of Batavia Council that it hereby schedules a public hearing for the Round 7 Restore NY application for January 9, 2023 at 7 p.m. at City Hall, One Batavia City Centre, Batavia, NY, 14020.

BE IT FURTHER RESOLVED, that a Notice of said hearing will be published for three consecutive days in the Batavia Daily News.

BE IT FURTHER RESOLVED, that it will include the following property assessment list:

<i>Site</i>	<i>Size (sq. ft)</i>	<i>Building Type</i>	<i>Project Type</i>	<i>Building Category</i>
101-103 Main Street	7,500	Comm./Res.	Rehabilitation	Vacant
105-107 Main Street	12,000	Comm./Res.	Rehabilitation	Vacant
5-7 Jackson Street	7,500	Comm./Res.	Rehabilitation	Vacant

**Seconded by Councilmember
and on the roll call**

#-2022

**A RESOLUTION SCHEDULING REGULAR COUNCIL MEETINGS THROUGH
DECEMBER 31, 2023**

Motion of Councilmember

WHEREAS, the Batavia City Council, pursuant to the City Charter, is required to schedule regular Council meetings through the standard resolution process; and

WHEREAS, City Council historically meets on the second and fourth Monday of each month except during the months of July, August and December where the Council meets only on the second Monday; and

WHEREAS, City Council must designate the specific location and time of meetings on an annual basis.

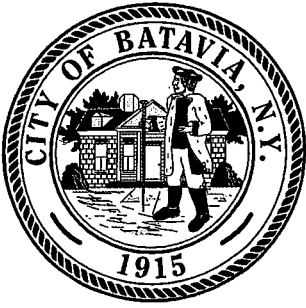
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia hereby designates the Council Board Room located at City Hall, One Batavia City Centre, as the regular meeting place for the scheduled Council meetings through December 31, 2023; and

BE IT FURTHER RESOLVED, that the City Council shall meet at 7:00 p.m. at the City Council Board Room on the designated dates as outlined on Attachment "A" through December 31, 2023.

**Seconded by Councilmember
and on roll call**

2023 City of Batavia Council Meetings

January 9, 2023 (Business)
January 23, 2023 (Conference)
February 13, 2023 (Business)
February 27, 2023 (Conference)
March 13, 2023 (Business)
March 27, 2023 (Conference)
April 10, 2023 (Business)
April 24, 2023 (Conference)
May 8, 2023 (Business)
May 22, 2023 (Conference)
June 12, 2023 (Business)
June 26, 2023 (Conference)
July 10, 2023 (Business and Conference)
August 14, 2023 (Business and Conference)
September 11, 2023 (Business)
September 25, 2023 (Conference)
Tuesday, October 10, 2023 (Business)
October 23, 2023 (Conference)
November 13, 2023 (Business)
November 27, 2023 (Conference)
December 11, 2023 (Business and Conference)



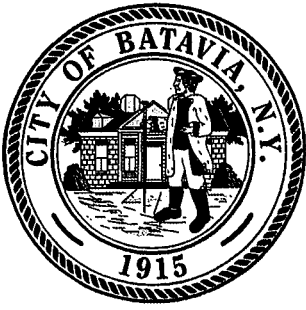
Memorandum

To: Rachael Tabelski, City Manager
From: Brett Frank, Director of Public Works
Date: November 21, 2022
Subject: Contract for Engineering Services, Bank Street NBRC Water Improvement Project

The City has successfully applied for and received funding through the Northern Border Regional Commission's (NBRC) program for the Bank Street Water Improvement Project. This project will involve the installation of an 8" NPS water main and the connection of existing customers as well as provisions for future development. The project will include the design, bid and construction of a water main improvement on Bank Street in the location between Main Street on the South and Washington Avenue on the North. The project has an estimated cost of \$418,000 with \$334,000 being grant funded.

The water main replacement on Bank Street from Main Street to Washington Avenue will involve installing a 950 linear feet of 8-inch diameter water main. This will include connection to the existing 12-inch water main at Main Street and a connection to the junction on an 8-inch and a 6-inch water main at Washington Avenue. There are six existing service connections that vary from 6-inch to 1-inch, that will be transferred to the new water main. A portion of Alva Place will be served by a short section of 8-inch water main for future development and added fire protection with a new fire hydrant. A new 6-inch service line will be stubbed to the site of a new police headquarters for both domestic and fire flows. Two existing fire hydrants will be replaced with new fire hydrants.

The water main abandonment portion of Bank Street is served by a 4-inch cast iron water main that appears to be original to the street. At some point in time, the former St. Jerome's Hospital expanded. In order to supply the increased need for water for the hospital site a short section on 6-inch water main was laid from Main Street to the Hospital's southern boundary. Estimates put this cast iron main as being nearly 90 years old. Both of these lines have had breaks over the years. Both the 4-inch and 6-



City of Batavia

inch lines will be taken out of service once the new 8-inch line has been constructed, tested and services transferred.

This project will improve reliability, increase firefighting flows as well as being able to supply water needs for redevelopment projects in the important downtown business corridor.

To advance this project, an RFP was issued for professional engineering services to design and oversee construction of the project. Six professional engineering firms responded to the RFP, and City staff scored the proposals. After reviewing and scoring of the RFP's, I recommend Erdman Anthony for the engineering design, bidding and construction inspection services for the Bank Street Water Improvement Project for a total contract amount of \$XXXXX.

#XX-2022

**A RESOLUTION AUTHORIZING AGREEMENT WITH ERDMAN ANTHONY FOR
ENGINEERING SERVICES FOR THE BANK STREET WATER SYSTEM
IMPROVEMENT PROJECT**

Motion of Councilmember

WHEREAS, The City of Batavia has been awarded a \$334,000 Northern Border Regional Commission (NBRC) for public infrastructure. The grant funds will be used for the installation of an 8" NPS water main; and

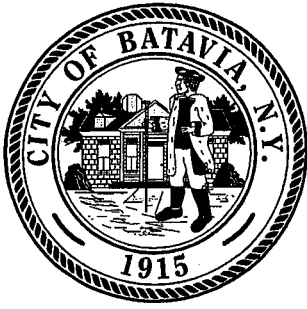
WHEREAS, Erdman Anthony, an engineering firm, will provide the City with the following scope of services: survey and design, bid phase services, construction administration phase services, and resident inspection phase services; and

WHEREAS, a request for proposals was issued, and a committee of City personnel selected Erdman Anthony to perform the work out of six (6) proposals that were received; and

WHEREAS, the cost of the contract is not to exceed \$XXXXX.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for engineering services for the Bank Street water system improvement project to Erdman Anthony in the amount of not to exceed \$XXXXX.

**Seconded by Councilmember
and on the roll call**



City of Batavia

MEMORANDUM

To: Rachael Tabelski, City Manager
From: Heidi J. Parker, Clerk-Treasurer
Date: November 22, 2022
Subject: **Appointment to Historic Preservation Commission**

Caroline Hosek's term on the Historic Preservation Commission expires on December 31, 2022. Ms. Hosek lives in the City of Batavia on Montclair Ave. Her reappointment was sent to Councilmembers Briggs and Pacino for review and approval to be considered at the next conference agenda.

It is recommended that Council approve the reappointment of Caroline Hosek to the Historic Preservation Commission until December 31, 2025.

#-2022
**RESOLUTION TO APPOINT MEMBERS TO VARIOUS CITY COMMITTEES/
BOARDS**

Motion of Councilmember

WHEREAS, certain vacancies exist on various City Committees/Boards.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that the following appointments be made:

Historic Preservation Commission

Caroline Hosek

December 31, 2025

**Seconded by Councilmember
and on roll call**

DRAFT

MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilmembers

WHEREAS, Article 7, Section 105(1)(f), of the Public Officer's Law permits the legislative body of a municipality to enter into Executive Session to discuss "...the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation..."and;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia, that upon approval of this Motion, the City Council does hereby enter into Executive Session.

**Seconded by Councilmembers
and on roll call**